

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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BASIM ASMAR SHAKIR-BEY,

Civil No. 22-637 (JRT/JFD)

Petitioner,

v.

**ORDER ON REPORT AND  
RECOMMENDATION**

WARDEN GUY BOSH,

Respondent.

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Basim Asmar Shakir-Bey, OID# 142036, MCF Stillwater, 970 Pickett Street North, Bayport, MN 55003-1490, *pro se* petitioner.

Edwin William Stockmeyer , III, Matthew Frank, **OFFICE OF THE MINNESOTA ATTORNEY GENERAL**, Trials and Appeals, Bremer Tower, Suite 1800, 445 Minnesota Street, St. Paul, MN 55101-2134, Jonathan P Schmidt, **HENNEPIN COUNTY ATTORNEY'S OFFICE**, Hennepin County Government Center, 300 South 6th Street, Suite C-2000, Minneapolis, MN 55487, for respondent.

United States Magistrate Judge John F. Docherty filed a Report and Recommendation on April 8, 2022. (Dkt. No. 6.) No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, on all of the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Report and Recommendation (Dkt. No. 6) is **ADOPTED**;

2. Petitioner Basim Asmar Shakir-Bey's Petition and Memorandum Submitted Under 28 U.S.C. § 2254 for Writ of Habeas Corpus by a Person in State Custody (Dkt. No. 1) is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction;
3. Mr. Shakir-Bey's Application to Proceed in District Court Without Prepaying Fees or Costs (Dkt. No. 2) is **DENIED** as moot; and
4. No certificate of appealability is issued.

**LET JUDGMENT BE ENTERED ACCORDINGLY.**

Dated: May 3, 2022  
At Minneapolis, Minnesota

s/John R. Tunheim  
JOHN R. TUNHEIM  
Chief Judge  
United States District Court